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Attorneys for Defendants  
 CITY AND COUNTY OF SAN FRANCISCO,  
 AND PAUL MIYAMOTO, IN HIS OFFICIAL  
 CAPACITY AS SAN FRANCISCO SHERIFF

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

JOSHUA SIMON, DAVID BARBER, AND  
 JOSUE BONILLA, INDIVIDUALLY AND  
 ON BEHALF OF ALL OTHERS  
 SIMILARLY SITUATED, DIANA BLOCK,  
 AN INDIVIDUAL AND COMMUNITY  
 RESOURCE INITIATIVE, AN  
 ORGANIZATION,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN  
 FRANCISCO, PAUL MIYAMOTO, IN HIS  
 OFFICIAL CAPACITY AS SAN  
 FRANCISCO SHERIFF,

Defendants.

Case No. 4:22-cv-05541-JST

**[PROPOSED] ORDER GRANTING  
 DEFENDANTS' MOTION TO MODIFY OR  
 STAY IN PART PRELIMINARY INJUNCTION**

Judge: Honorable Jon S. Tigar  
 Courtroom: Courtroom 6, 2nd Floor  
 Hearing Date: March 21, 2024 (Pending  
 Motion to Shorten Time)  
 Time: 2:00 p.m.

Date Action Filed: September 8, 2022  
 Trial Date: Not Set

**PROPOSED ORDER**

On February 16, 2024, Defendants the City and County of San Francisco and Paul Miyamoto, in his official capacity as San Francisco Sheriff, filed a Motion to Modify or Stay in Part Preliminary Injunction (“Motion”).

After full consideration of the moving, opposition, and reply papers filed by the parties, the arguments of counsel, the other filings on record in this case, and all other matters presented to the Court, the Court GRANTS the Motion. IT IS HEREBY ORDERED that:

- i. The Court stays/modifies pending Defendants’ appeal its injunction with respect to individuals subject to the Superior Court’s revised admonishments against sharing location data with other law enforcement agencies in an active criminal investigation.
- ii. The Court stays/modifies from February 27, 2024, to March 12, 2024, the deadline for Defendants to cease enforcement of the four-way search condition with respect to PTEM Program participants who have not yet been issued the revised EM Order by the Superior Court.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE JON S. TIGAR  
United States District Judge